REMARKS

Reconsideration and the timely allowance of the pending claims, in view of the following remarks, are respectfully requested.

In the pending Office Action, the Examiner rejected claims 1-10, under 35 U.S.C. §103(a), as being anticipated by Stahl '945 (WO 99/14945).

Prior to this Amendment, claims 1-10 were pending. By this Amendment, Applicants have amended claims 1-2 and 5-6 to provide a clearer presentation of the claimed subject matter. Applicants have also introduced new claims 11-19. Accordingly, claims 1-19 are currently submitted for examination, of which claims 1, 2, and 11 are the only independent claims.

Applicant respectfully traverses the rejections under 35 U.S.C. §103(a) for the reasons presented below.

I. Rejection of Claim 1 Under §103(a) Based On Stahl '945

With respect to independent claims 1 and 2, the Examiner alleged that the Stahl '945 reference teaches each element of the claimed invention except for the checking means and sub-video control means. (Office Action, par. 2). The Examiner then relied on an alternative Stahl '945 embodiment in which a controlling device **14** is notified of incoming OSD data from a peripheral device **12** and the controlling device **14** controls the display to render claims 1 and 2 unpatentable. Applicant respectfully disagrees.

Independent claim 1, as amended, sets forth a video processing device connected to a video transmitting device that selectively synthesizes a first sub-video with a transmitted video, in which the video processing device comprises, *inter alia*:

requesting means for ***requesting status information that indicates whether the first sub-video is synthesized with the transmitted video*** from the video transmitting device;

checking means for ***checking whether the first sub-video is synthesized with the received video based on the status information*** from the video transmitting device; and

controlling means for ***controlling an operation of synthesizing the second sub-video with the received video*** based on a check result of the checking means.

Claim 1 of the present application is directed to a video processing device for receiving and displaying a video image transmitted from a video transmitting device via a communication line. As discussed in conjunction with the various embodiments disclosed, a video transmitting device and the video processing device may both possess the capability of selectively super-imposing sub-video on the screen (*e.g.*, OSD functionality). Such capabilities may cause problems if both generate OSDs (i.e., two sub-video images overlap on the screen).

Accordingly, the present invention contemplates the solution to this problem by configuring the video processing device with the capability of requesting data indicating whether a sub-video is already synthesized with the video image from the video transmitting device, as recited in amended independent claim 1. In addition, as recited in claim 1, the video processing device also configured with the features of checking whether the sub-video is already synthesized with the image and controlling the OSD processing based on the check results.

Independent claim 2, as amended, also sets forth a video processing device comprising, *inter alia*:

receiving means for ***receiving a requesting signal from the video display device*** via the communication line; and

sending means for ***sending status information that indicates whether the sub-video is synthesized with the transmitted video to the video***

display device via the communication line in response to the requesting signal.

According to claim 2, the video transmitting device is also configured with the capability of receiving a request signal from the video display device and transmitting data to the video display device indicating whether the transmitted video already includes synthesized sub-video, in response to its request.

The Stahl '945 reference is directed to transferring OSDs from a peripheral device (*e.g.*, digital VCR) to a control device (*e.g.*, DTV). (Stahl '945: page 3, lines 4-6). The transfer may be achieved through one of several disclosed formats, such as: (a) sending one frame of video either over the asynchronous using a "push" method or "pull" method triggered by a message from the peripheral device to the DTV or over an isochronous channel; (b) transfer a run-length-encoded version of the OSD; (c) transfer the actual information in an OSD bitmap format; and (d) MPEG-1 frame stills transported over an Isochronous link. (Stahl '945: page 3, lines 7-12).

The Stahl '945 reference further discloses that interoperability is achieved by transferring the OSD information directly from the peripheral device **12"** (e.g., DVCR) to controlling device **14"** (e.g., DTV). The OSD information is transferred via the IEEE 1394 serial bus **16** to DTV **14"** where the menu information is overlayed in DTV **14"** with the decoded MPEG stream prior to being displayed. The transfer scheme used complies with any of the four disclosed methodologies noted above, but generally the transfer occurs by the controller device **14** generating a request to the peripheral device **12** and, in response, the peripheral device **12** transmits the OSD information via the IEEE 1394 serial communication to the controller device **14**. (Stahl '945: page 14, line 25 – page 15, line 24; FIGs. 4, 5).

As best understood, however, there is nothing in the Stahl '945 reference that remotely suggests requesting status information identifying whether the first sub-video

is synthesized with the transmitted video, checking whether the first sub-video is synthesized with the received video, and controlling the operation of synthesizing the second sub-video with the received video, as required by claim 1. Nor does Stahl '945 suggest receiving a request signal from the video display device and transmitting data to the video display device indicating whether the transmitted video already includes synthesized sub-video, as required by claim 2.

Moreover, although the Stahl '945 reference does disclose that upon receiving a request from the controller device **14**, the peripheral device **12** transmits OSD information via to the controller device **14**, as indicated by the Examiner. However, there is absolutely nothing in the reference that suggests that the transferred OSD information represents status information indicating whether sub-video is already synthesized with the video image, as required by claims 1 and 2. That is, the OSD information transferred in Stahl '945 contains the data to be overlayed or superimposed onto the video image but fails to contain status information regarding whether the video image contains synthesized sub-video.

Because, as indicated above, the Stahl '945 reference fails to teach or suggest the combination of elements recited by amended independent claim 1, Applicant submits that independent claim 1 is patentably distinguishable over Stahl '945. Moreover, despite its comprehensive teachings, there is nothing in of Stahl '945 that renders amended independent claim 1 unpatentable in view of Stahl '945.

II. Conclusion

For the reasons discussed above, Applicant submits that amended independent claims 1 and 2 are patentably distinguishable over the references of record. Dependent claims 3-10 are also patentable by virtue of their additional recitations as well as their dependency to the independent claims. Accordingly, withdrawal of the rejections under §103(a) is respectfully requested.

Additionally, Applicant submits that new independent claim 11 is directed to a video system that includes features similar to that of amended claims 1 and 2 and is, therefore, patentably distinguishable over the references of record. Also, new dependent claims 12-19 are also patentable by virtue of their additional recitations as well as their dependency to independent claim 11.

All matters having been addressed, Applicant respectfully requests the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of pending claims 1-19. Applicants' Counsel remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter.

Respectfully submitted,

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